

# **THE HELP NETWORK** **AND CONSULTATIVE BOARD**

## **Background**

The European Programme for Human Rights Education for Legal Professionals (the HELP Programme), developed and implemented by the Directorate General of Human Rights and Rule of Law of the Council of Europe, is aimed at supporting member states to comply with Council of Europe standards, by enhancing judges, prosecutors and lawyers' capacity to apply the European Convention on Human Rights (ECHR) at national level, in accordance with:

-Recommendation Rec (2004) 4 of the Committee of Ministers to member states on the European Convention on Human Rights in university education and professional training;

-CM (2005) 80 final 17 May 2005 Action Plan of the Third Summit of Heads of State and Government of the Council of Europe held in Warsaw in 2005;

-2010 Interlaken, 2012 Brighton Declarations, where member states expressed their determination to ensure effective implementation of the ECHR at the national level by "providing appropriate information and training about the Convention in the study, training and professional development of judges, lawyers and prosecutors" (paragraph 9.vi of the Brighton Declaration);

-2015 Brussels Declaration where the necessity to "increase efforts at national level to raise awareness among members of parliament and improve the training of judges, prosecutors, lawyers and national officials on the Convention and its implementation, including as regards the execution of judgments, by ensuring that it constitutes an integral part of their vocational and in-service training, where relevant, including by having recourse to the Human Rights Education for Legal Professionals (HELP) programme of the Council of Europe, as well as to the training programmes of the Court and to its publications;" (paragraph B.1.(b)) was underlined.

The "core HELP" (coordination of the Network, development of model courses, qualitative review, Consultative and Editorial Board, support to Focal and Info Points) is funded by the ordinary budget of the Council of Europe, since January 2016. The Human Rights Trust Fund (HRTF) and the European Union (EU) provide financial support towards the HELP programme, particularly in projects ensuring the regional and national implementation of HELP.

The HELP Network and the HELP Consultative Board are set up as integral components of the HELP Programme.

## **Main Tasks**

The HELP Network, a peer-to-peer European Human Rights Training Network, is composed of representatives from National Training Institutions for Judges and Prosecutors (NTIs) and Bar

Associations (BAs) of the 47 member states of the Council of Europe.

The HELP Network is entrusted with the implementation of paragraph 9.vi of the 2012 Brighton Declaration and shall, in this respect:

- i. promote the development and promotion of initial and continuous training of legal professionals on standards of the ECHR, as interpreted by the case law of the European Court of Human Rights (ECtHR);
- ii. share best practices and provide advice on curricula, training materials and training methodologies for legal professionals, identifying priority themes for future training activities;
- iii. provide advice on how to support member states in enhancing the capacity of judges, prosecutors and lawyers to apply the ECHR at national level, in their daily work, throughout adequate training on the ECHR and related themes;
- iv. provide advice on how to enhance the capacity of lawyers to comply with the admissibility criteria in applications submitted to the ECtHR, increasing the quality of well-founded applications before the ECtHR;
- v. provide a widespread knowledge and use of the HELP training resources among legal professionals;
- vi. promote an improved coordination among international and national institutions on human rights training initiatives for legal professionals.

The HELP Consultative Board is a body appointed by the HELP Network for providing advisory support to the HELP Secretariat outside the meetings of the HELP Network and shall, in this respect:

- i. evaluate standard curricula and training materials developed by the HELP Programme;
- ii. propose priority themes for future training activities to the HELP Network;
- iii. identify an overall strategy for the co-ordination on human rights training among relevant international and national actors, including the development of regional initiatives;
- iv. provide advice on training methodologies for legal professionals;
- v. co-operate with the HELP Editorial Staff (the HELP Editorial Staff is composed of experts on ECtHR case law, ECHR training, IT and web-communication expert. It is appointed by the HELP Secretariat and is responsible for planning and implementing a communication strategy for the HELP Programme and for publishing and revising news and training materials on the HELP websites);
- vi. provide advice on other additional specific issues identified by the HELP Network and its Secretariat;
- vii. prepare an annual report for the HELP Network.

## **Composition**

### **The HELP Network**

#### **Members**

NTIs and BAs of the 47 member states of the Council of Europe are entitled to appoint one or more representatives as members of the HELP Network.

Each NTI and BA member of the HELP Network shall have one vote. Where an NTI or a BA designates more than one representative, only one of them is entitled to take part in the voting.

The HELP Programme will bear the travel and subsistence expenses of one representative from each member, within the limits of budgetary appropriations. Expenses will be reimbursed in

accordance with Council of Europe's rules.

### **Partners**

The following are invited to send representatives, as partners of the HELP Network, without the right to vote:

- The European Judicial Training Network (EJTN)
- International associations of judges
- The Council of Bars and Law Societies of Europe (CCBE)
- European Bars Federation (FBE)
- The European Court of Human Rights
- National associations of judges and prosecutors
- Professional associations of lawyers, legal aid networks and legal clinics specialised in human rights
- Mémoire Albert Cohen Foundation
- European Union (Directorate-General for Justice and Consumers).

The HELP Secretariat will decide on a case-by-case basis (and resources permit it) whether the HELP Programme will bear the travel and subsistence expenses of one representative from each partner, within the limits of budgetary appropriations and in accordance with Council of Europe's rules.

### **Observers**

The following, when invited by the HELP Secretariat, may send representatives as observers, without the right to vote

- NTIs and BAs from Belarus;
- Kosovo\* Judicial Institute
- Kosovo\*Bar association
- International organisations and non-governmental organisations with competence on human rights training for legal professionals

Observers will agree with the HELP Secretariat whether the HELP Programme will bear the travel and subsistence expenses of one representative from each observer, within the limits of budgetary appropriations and in accordance with Council of Europe's rules.

Other institutions from non-Member States might be added to the list of Observers.

### **The HELP Consultative Board**

The HELP Consultative Board shall be composed of six members who will be appointed among the representatives of NTIs and BAs in the HELP Network.

At least one representative of training institutions of each category of legal professionals (judges, prosecutors, lawyers) participating in the HELP Programme shall be part of the Consultative Board. This should be highlighted to members of the Network when they cast their vote.

A HELP Network representative from the NTIs or BAs attending the annual conference has the right to nominate themselves as a candidate for election to the Consultative Board. A candidate's name will be entered on the ballot paper, provided that they have submitted to the Secretariat in English a nomination in the prescribed form and a statement of candidature of not more than 500 words, at

least 10 days before the Conference.

The election shall take place during the HELP Network's annual conference. The term of office of a member of the Consultative Board shall be two years. Except during the Transitional Period no representative shall serve more than two consecutive terms on the Consultative Board.

Candidates shall be elected to the Consultative Board by secret ballot. In the event that two or more candidates obtain the identical number of votes for one place then in the absence of agreement between the candidates who obtained the identical number of votes, they shall draw lots to determine which of them the successful candidate is.

#### *Transitional period*

In 2016 four members of the Consultative Board (excluding Petros Alikakos who was elected in 2014) shall resign at the end of the HELP Network's annual conference and be ineligible for re-election in 2016. In the absence of agreement as to which four members should stand down it shall be decided by drawing lots among the said four members of the Consultative Board.

At the election in 2018 the three longest serving members of the Consultative Board shall stand down and be ineligible for re-election in 2018.

The transitional period of the Consultative Board shall end at the end of the HELP Network's annual conference in 2018.

The Returning Officer for the elections to the Consultative Board shall be the Head of the HELP Unit and their decision in respect of all matters regarding the conduct of the election shall be final.

The members of the Consultative Board may appoint among themselves Rapporteurs for specific themes/tasks. The Consultative Board shall report on its activities to the HELP Network's annual Conference, and submit the report to the HELP Secretariat.

#### **Working Methods:**

The HELP Network and Consultative Board will co-ordinate their activities with the HELP Secretariat.

Meetings shall normally be convened at the premises of the Council of Europe in Strasbourg.

Meetings of the Network and of the Consultative Board will be organised as follows:

Plenary Meeting: 94 members (150 including partners and observers), 1 two-day meeting per year

Consultative Board: 6 members, 2 one-day meetings per year.

*\*All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo*